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ETH-1615

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of
JOSEPH H. CONTILIANO ET AL.

Group Art Unit: 3722

Serial No.: 10/033,543

Examiner: Pedro Philogene

Confirmation No.: 7364

Filed: December 27, 2001

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For: POLYMER-BASED ORTHOPEDIC
SCREW AND DRIVER SYSTEM WITH
INCREASED INSERTION TORQUE
TOLERANCE AND ASSOCIATED
METHOD FOR MAKING AND USING
SAME

April 16, 2004

Date of Deposit

Judith M. Trauma
(Signature)

April 16, 2004
(Date)

X

Commissioner for Patents
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, applicants and their attorney respectfully request that the following patents and publications, copies of which are attached hereto, be made of record in the official United States Patent and Trademark Office file relating to the above-identified application. These references were cited by the Examiner in the related case, U.S. Patent Application No. 09/969,779, or more than three months ago, in a communication from the European Patent Office regarding a counterpart application to U.S. Patent Application No. 09/969,779. The citation of these patents and publications should not be construed as an admission that they contain statutory prior art with respect to the present invention.

04/21/2004 HALI11 00000008 501402 10033543

01 FC:1806 180.00 DA

U.S. Patents

5,057,110
5,810,821
6,187,008

6,423,062
6,458,134
6,471,707

6,517,543
6,547,792
6,565,291

Foreign Patent Publications

European Patent Publication No. 0 502 698
European Patent Publication No. 1 055 398
French Patent Publication No. 2 720 627
French Patent Publication No. 2 721 819
Japanese Patent Publication No. 07 213534

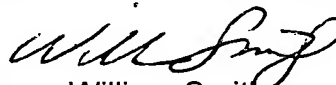
Publication

US 2001/034520 A1

In order to facilitate the Examiner's citation of the patents and publications listed above, applicants' attorney has completed United States Patent and Trademark Office Form PTO/SB/08A. The completed Form is attached hereto for the Examiner's convenience.

A fee of \$180 is believed to be due in connection with the submission of this Information Disclosure Statement. The Examiner is hereby authorized to charge this fee to Deposit Account No. 501402. If any such fees are due, the Examiner is hereby authorized to charge them to Deposit Account No. 501402.

Respectfully submitted,
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<p>Substitute for form 1449A/PTO</p> <p style="font-size: 1.2em; font-weight: bold;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p>		<p>Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Application Number</td><td>10/033,543</td></tr> <tr><td>Filing Date</td><td>December 27, 2001</td></tr> <tr><td>First Named Inventor</td><td>Joseph H. Contiliano</td></tr> <tr><td>Art Unit</td><td>3722</td></tr> <tr><td>Examiner Name</td><td>Pedro Philogene</td></tr> <tr><td>Attorney Docket Number</td><td>ETH-1615</td></tr> </table>		Application Number	10/033,543	Filing Date	December 27, 2001	First Named Inventor	Joseph H. Contiliano	Art Unit	3722	Examiner Name	Pedro Philogene	Attorney Docket Number	ETH-1615
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Attorney Docket Number	ETH-1615														
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U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	1	US-	5,057,110	10-1991	Kranz et al.	
	2	US-	5,810,821	09-1998	Vanderwalle	
	3	US-	6,187,008	B1	02-2001	Hamman
	4	US-	6,423,062	B2	07-2002	Enayati
	5	US-	6,458,134	B1	10-2002	Songer et al.
	6	US-	6,471,707	B1	10-2002	Miller et al.
	7	US-	6,517,543	B1	02-2003	Berrevoets et al.
	8	US-	6,547,792	B1	04-2003	Tsuji et al.
	9	US-	6,565,291	B2	02-21-2002	Harpaz et al.
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	10	US-	2001/034520	A1	10-25-2001	Albert Enayati
		US-				
		US-				

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
	11	EP	0 502 698	A	09-09-1992	Linvatec Corp.		
	12	EP	1 055 398	A	11-29-2000	Chugai Pharmaceutical Co.		
	13	FR	2 720 627	A	12-08-1995	Jacques Hummer et al.		
	14	FR	2 721 819	A	01-05-1996	Marc Augoyard et al.		
	15	JP	07 213534	A	08-15-1995	Terumo Corp.		

Examiner Signature _____	Date Considered _____
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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